

Official Minutes for Webb County Commissioners Court Meeting

Monday, January 26, 2004 at 1:00 PM

(Approved 02-09-2004)

- Item No. 1 Call to order by Judge Louis H. Bruni
Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 1:00 p.m. at the regular meeting place with the following members present to wit:

Louis H. Bruni	County Judge
Judith Gutierrez	Commissioner, Pct. 2
Felix Velasquez	Commissioner, Pct. 3
David Cortez	Commissioner, Pct. 4

Arrived Late:
Jerry Vasquez Commissioner, Pct. 1

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 22nd and 23rd of January 2004. Present also were Ms. Nora Elia Prado, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

- Item No. 2 Roll Call – Margie Ramirez Ibarra, Webb County Clerk

- Item No. 3 Pledge of Allegiance – Led by all

- Item No. 4 Approval of minutes January 12th meeting

Comr. Velasquez motioned to approve the minutes as presented. Comr. Gutierrez seconded the motion.

Motion carried 4-0 with Comr. Vasquez not present for voting.

- Item No. 5 Approval of bills, payroll and monthly reports

Ms. Delia Perales, County Treasurer, presented to the Court her monthly report, including a report on royalties received for the permanent school fund. She stated that the taxes paid on school property do not come from the General Fund.

Judge Bruni advised Court and public that Comr. Jerry Vasquez was running late.

Cmr. Velasquez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 4-0 with Cmr. Vasquez not present for voting.

Item No. 6 Communications

Cmr. Velasquez stated that at the last meeting, the Court had requested that RFQ's (Request for Qualifications) be submitted for the position of Director for the Indigent Services Program as well as the Elections Administrator and Risk Manager. Mr. Eloy Ramirez, Purchasing Agent, stated that the Qualifications for Elections Administrator have been forwarded to his office from the County Attorney and will be published in the Laredo Morning Times. He stated that he needed clarification on the RFQ's for Indigent Services Director since he believed that the program would be outsourced but he would still place a Request for Qualifications. Cmr. Velasquez state that there was an excellent turnout at the Crime Stopper's Menudo Bowl this past weekend and hopes that more can be done to improve the area in and around LIFE Downs. He also shared concerns brought to his attention regarding the payment of holiday hours for part-time employees and that he had been under the impression that part-time employees were paid holiday hours.

Cmr. Vasquez arrived.

Cmr. Cortez stated that he has received calls concerning the high number of reserve constable deputies and would like for information as to the County's liability for the deputies to be presented at the next meeting.

Cmr. Gutierrez requested that an item addressing the June 2nd 2003 storm damages be placed on the next agenda so that the court can know where the county stands.

Item No. 7 Public Comment

Public comments would be taken during the item being discussed.

Item No. 8 Presentation by McWilliams and Associates, by Andrea McWilliams,
Webb County Governmental Affairs Consultant

Ms. Andrea McWilliams of McWilliams and Associates presented to the court information on legislature that has been passed or proposed that might affect Webb County, including the congressional redistricting, school finance special session, and Medicaid & CHIP (Children's Health Insurance Program) cuts. She highlighted the following during her presentation:

- Congressional Redistricting – District 28 consists of 650,000 residents, 100,000 which are in Webb County and 250,000 in Bexar County.

- School Finance Special Session – If the “Robin Hood” program is cut, Webb County School Districts (Laredo I.S.D., United I.S.D., and Mirando City I.S.D.) stand to lose \$16,762,500 at the current tax rate and possible taxes that could be implemented to counteract the cuts.

The Court thanked Ms. McWilliams for an informative presentation. Cmr. Velasquez expressed concerns about unfunded mandates and stated that if it were possible for Ms. McWilliams to discuss with her contacts the possibility of sponsoring a bill to exempt Webb County from the population requirement in order to establish a civil service plan. Cmr. Velasquez also raised concerns about the Texas Department of Transportation (TX DoT) infrastructure funding and the delay in projects after they have been approved. Cmr. Cortez stated that some of the proposed taxes were ridiculous and was concerned about the effect that these additional taxes would have on the general public.

Item No. 9 Status report on Carrizo-Wilcox Aquifer Water Well # 1 with possible action

Judge Bruni gave a statement to the Court and public about his concerns concerning a secondary water source for Webb County. He stated that the Rio Grande stopped flowing into the Gulf of Mexico last year and in San Antonio, 17 of the 32 springs there remain. He stated that currently 80% of water in Texas is used for agricultural purposes. Mr. Tomas Rodriguez, County Engineer, stated that \$100,000 for this project was allocated from 2002 Bond Series for some studies but was unable to complete the studies until the additional funding of \$200,000 from 2003 Bond Series for a total of \$300,000. He stated that this would cover the fees for the studies. He stated that RFP's (Requests for Proposals) for this project would be advertised this Sunday. He stated that the well would be approximately 1,200 feet, utilize 12 inch casing and would operate at a minimum rate of 50,000 gallons per minute. Cmr. Velasquez stated that the City and County needed to work together on building a pipeline to get water from the Carrizo-Wilcox Aquifer to the citizens of Laredo and Webb County and would like for the proposed cost and a master plan to be presented to the Court. Judge Bruni advised staff to request records on studies done by the City on secondary water source via the Open Records Act. Cmr. Gutierrez stated that the court needed to know what resources Webb County would need to commit for this project. Mr. Tomas Rodriguez, County Engineer, stated that the total cost of the well would be approximately \$6 million (\$4,065,000 for the pipeline at \$35 per foot, \$200,000 booster line, plus the construction of a water treatment plant depending on the test results). Cmr. Vasquez stated that projects of this magnitude needed to be prioritized and stated that County could not afford to fund the Carrizo-Wilcox Aquifer project, the Youth Village project and the Bridge project at the same time. Judge Bruni stated that he presented a zero growth budget and has not raised taxes or will touch fund balance to fund projects of this size. Judge Bruni was advised by bailiff that Councilman John C. Galo had called to advise Court that he, along with other councilman would be willing to work with Webb County on this project.

Cmr. Velasquez motioned to move up Item No. 34. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 34 Discussion and possible action to adopt Webb County Voting Precinct changes and polling place designation, as mandated by SB 1374C (redistricting plan) and federal court order in *Sessions v. Perry CA*, 2:03CV354.

Mr. Rolando Rios advised Court that an appeal has been filed in the courts regarding the congressional redistricting and urged Court to adopt changes to the voting precincts as presented. He stated that this would not affect the Commissioners' precincts, only voting precincts. Mr. Oscar Villarreal, Interim Elections Administrator, stated that the letters A or B were only used to identify those voting precincts that would be consolidated due to only having one polling place. He stated that these were voting precincts that were split during the redistricting. Cmr. Velasquez requested that to avoid confusion, that the precincts be numbered with the next available number.

Cmr. Velasquez motioned to approve item with consecutive numbering used instead of lettering. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 10 Discussion and possible action to authorize Washington's Birthday Celebration Association the use of County property on Highway 59, known as the CLEAR shooting range, on Sunday, February 15, 2004, for the purpose of a fireworks display.

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Mr. Eddie Villarreal, WBCA, stated that this site was used last year and is only for the pyrotechnic set-up only.

Motion carried 5-0 by unanimous consent.

Cmr. Velasquez stepped out.

- Item No. 12 Discussion and possible action to approve amended budget for the Weatherization Program, Department of Energy (DOE) and Low Income Heating/Energy Assistance Program (LIHEAP) grants, FY 2003-2004.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 4-0 with Cmr. Velasquez not present for voting.

- Item No. 13 Discussion and possible action to adopt changes to bylaws governing the Community Action Agency Advisory Board. The two changes now provide that Category "B" Advisory Board Alternates must be elected rather than appointed as prescribed by CSBG Policy Issuance No. 2002-2.3, (page 2), and that written notice shall be mailed to the member who misses two consecutive meetings by registered return receipt requested mail to notify him/her of their attendance status (page 6). Proposed revisions are found in *ITALICS*.

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 4-0 with Cmr. Velasquez not present for voting.

- Item No. 14 Discussion and possible action to enter into a construction contract with Jimmy Closner Construction Co., Inc., in the amount of ONE MILLION FOUR HUNDRED NINETY-THREE THOUSAND NINETEEN DOLLARS AND EIGHTY SEVEN CENTS (\$1,493,019.87) for water distribution system improvements for the Webb County Utility Department within the City of El Cenizo, subject to final approval of the Contactor and the County Attorney, and authorizing the County Judge to sign all relevant documents.

- Item No. 15 Discussion and possible action to enter into a construction contract with Jimmy Closner Construction Co., Inc., in the amount of ONE MILLION TWENTY-SIX THOUSAND SIX HUNDRED NINETY-THREE DOLLARS AND NINETY-SEVEN CENTS (\$1,026,693.97) for replacements of waterlines for the Webb County Utility Department within the City of Rio Bravo, subject to final approval of the Contactor and the County Attorney, and authorizing the County Judge to sign all relevant documents.

- Item No. 16 Discussion and possible action to enter into a construction contract with Ramos Industries, Inc., in the amount of ONE MILLION TWO HUNDRED FORTY THOUSAND FIVE HUNDRED FORTY DOLLARS (\$1,240,540.00) for improvements to the wastewater collection system

for the Webb County Utility Department within the City of El Cenizo, subject to final approval of the Contactor and the County Attorney, and authorizing the County Judge to sign all relevant documents.

Item No. 17 Discussion and possible action to enter into a construction contract with FMG Contracting Company, L.L.C., for the construction of new Justice of the Peace Courthouse building in South Laredo in the amount of EIGHT HUNDRED NINETY-SEVEN THOUSAND SIX HUNDRED NINETY-TWO DOLLARS (\$897,692.00)

Item No. 18 Discussion and possible action to enter into Third Party Funding Agreements:

Habitat for Humanity	\$20,000.00
S.C.A.N.	\$ 5,000.00
Literacy Volunteers of America	\$ 1,500.00
American G.I. Forum	\$ 1,000.00
Society of Martha Washington (Hotel/Motel)	\$ 5,000.00

and authorizing the County Judge to execute all relevant documents.

Item No. 19 Discussion and possible action to enter into a Software License/Customer Support Agreement and Hardware Maintenance Agreement with Megatronics International Corporation (MTI), for the Fuel Management System installed at the Webb County Road and Bridge Facility to be effective January 1, 2004 through December 31, 2005 in an annual amount of FOUR THOUSAND SEVEN HUNDRED AND FORTY-TWO DOLLARS (\$4,742.00) for a total cost of NINE THOUSAND FOUR HUNDRED AND EIGHTY FOUR DOLLARS (\$9,484.00) over the term of the Agreement, seeking a discretionary exemption to the competitive bidding statute (Local Government Code section 262.024(a) (7) (Sole Source), and authorizing the County Judge to execute all relevant documents. [Requested by Road and Bridge Department - Account No. 010-7001-6402 Repairs and Maintenance Equipment]

Item No. 20 Discussion and possible action to order the sale of tax foreclosed property, titled in the name of Webb County, Trustee, located at 2419 Barrios, (being Lot 6 and E1/2 of lot 5, Block 1428 ED City of Laredo) and authorizing the Sheriff to conduct the sale in the manner prescribed by the Texas Rules of Civil Procedure for the sale of property under execution and authorizing the County Judge to sign all relevant documents.

Item No. 21 Discussion and possible action to enter into a Memorandum of Understanding with the Children's Advocacy Center of Laredo-Webb County to administer the Safe Havens: Supervised Visitation and Safe Exchange Grant Program in the amount of THREE HUNDRED FIFTY THOUSAND DOLLARS (\$350,000.00) for a period of two years (October 1, 2003 – September 30, 2005), awarded to Webb County by the U.S. Department of Justice, and authorizing the County Judge to sign all relevant documents.

Cmr. Vasquez motioned to approve Item No. 14, No. 15, No. 16, No. 17, No. 18, No. 19, No. 20 and No. 21 as submitted. Cmr. Gutierrez seconded the motion.

Cmr. Velasquez returned.

Motion carried 5-0 by unanimous consent.

Cmr. Vasquez motioned to bring up Item No. 11. Judge Bruni seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 11 Status report on the construction of the Justice of the Peace Building in South Laredo

Cmr. Velasquez stated that he was unaware that there was an item on the agenda to award a construction contract for this building. Mr. Carlos Villarreal, Commissioners Court Executive Administrator, stated that construction would take approximately 300 days.

Item No. 22 Discussion and possible action approving Work Authorization No. 1 to Mejia Engineering's Contract in the amount of \$64,100.00, for the platting of twenty-three residential lots of Colonia Los Corralitos. [Account # 664-7101-8002 Land Acquisition Certificates of Obligation Series 2003]

Item No. 23 Discussion and possible action approving final pay request and retainage to Jimmy Closner & Sons Construction Co. in the amount of \$34,796.20, for the Colonia Los Corralitos Water Improvement Project TCDP No. 720889. [Account # 650-8001-8701 Water Facilities]

Item No. 24 Discussion and possible action authorizing the County Engineer and the Purchasing Agent to initiate the surveys required and the legal work required to widen 0.3 miles of Thiesel Road by 20 feet. [Account

661-7501-8621-05 Thiesel Road and Account # 664-7101-8002 Land Acquisition Certificates of Obligation Series 2003]

Cmr. Cortez motioned to approve Item No. 22, No. 23 and No. 24 as submitted.
Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 26 Discussion and possible action to grant an easement to Medina Electric for the Self Help Center for the purpose of the construction and maintenance of approximately 700 feet of "Primary Distribution Electrical Line" and to execute a "Membership & Purchase Power Agreement" in the amount of \$6,207.10. [Account # 504-6500-8707 Neighborhood Facilities]

Item No. 27 Discussion and possible action to amend the Texas Water Development Fund 648 budget:
From: Account # 8006-6791-3 --- 5% Contingency -- \$141,000.00
To: Account # 8005-6099-6 --- Project Management -- \$141,000.00

Item No. 28 Discussion and possible action authorizing the County Engineer and the Purchasing Agent to initiate the surveys required and the legal work required to accept the conveyance of Lot # 14, Block # 19, Rio Bravo Subdivision, for the purpose of providing the installation of water lines and a storm drainage structure. [Lot to be donated by owner]

Item No. 29 Discussion and possible action accepting a utility easement from United Independent School District (U.I.S.D) which was obtained by the District for the purpose of the installation of the wastewater line to provide service to Juarez Lincoln Elementary School.

Cmr. Gutierrez motioned to approve Item No. 26, No. 27, No. 28 and No. 29 as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 25 Discussion and possible action authorizing the creation of a County Emergency Management Program.

Cmr. Cortez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Mr. Tomas Rodriguez, County Engineer, stated that the Court authorized the creation of an Emergency Management Program. He presented the Court a prepared draft and stated that final would be ready within 30 days.

Motion carried 5-0 by unanimous consent.

- Item No. 30 Discussion and possible action to approve a Resolution and Order authorizing the following County Officials: Honorable Louis H. Bruni, Honorable Judith G. Gutierrez, and Honorable Gerardo "Jerry" Vasquez to be designated as authorized signatories for draw downs for grant funded projects as set forth herein for the Texas Department of Housing and Community Affairs Home Program Contract # 1000038, and Office of Rural Community Affairs, Texas Community Development Program (TCDP) Contracts # 722961 and # 719000.

- Item No. 31 Discussion and possible action to approve final plans and specs for the Rio Bravo Community Park from Architectura S.A., Inc. and to authorize the Purchasing Agent to solicit construction bids, and authorizing the County Judge to sign all relevant documents.

Cmr. Vasquez motioned to approve Item No. 30 and No. 31 as submitted. Cmr. Gutierrez seconded the motion.

Mr. Tomas Rodriguez, County Engineer, requested that Item No. 31 be accepted with the condition that it is subject to approval by the Engineering Department.

Cmr. Vasquez motioned to include above request in his motion.

Motion carried 5-0 by unanimous consent.

- Item No. 32 Discussion and possible action to adopt a resolution authorizing a joint primary contract by and among the Democratic Party County Chair, the Republican Party County Chair and the County Elections Officer for the conduct and supervision of the Webb County Joint Primary Election on March 9, 2004 and runoff election, if necessary, on April 13, 2004 pursuant to Section 172.126.

- Item No. 33 Discussion and possible action to adopt a resolution authorizing and establishing the main and temporary branch early voting polling sites for the March 9, 2004 Joint Primary Elections within Webb County, Texas Pursuant to Chapter 85, Texas Election Code.

Cmr. Velasquez motioned to approve Item No. 32 and No. 33 as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 35 Discussion and possible action to fill slot # 2187 and 2033, full-time AA Teacher (40 hrs/week for 10 months) at \$20,072, effective January 27, 2004.

Item No. 36 Discussion and possible action to fill slot # 1702 and 1700 part-time substitute teacher (15 hours/week for 10 months) at \$4,646, effective January 27, 2004.

Cmr. Gutierrez motioned to approve Item No. 25 and No. 36 as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 37 Discussion and possible action to purchase the following vehicles through the Houston Galveston Area Council for the Road and Bridge Department.

1. One Dump Truck H-GAC #HT11-03 for \$73,631.00
2. One Water Truck H-GAC #HT11-03 for \$96,450.00
3. Four Haul Trucks H-GAC #HT11-03 for \$345,924.00
4. Three Dump Trailers H-GAC #TR02-02, \$96,678.00

[Account # 661-7501-8801 Capital Outlay Road and Bridge Improvements Certificates of Obligation Series 2003]

Item No. 38 Discussion and possible action to donate the following salvage property of Webb County to the City Hall (Precidencia Municipal) of Pesqueria, Nuevo Leon:

Forty personal computers; and the following vehicles:

Power box (asphalt paver) Serial No. 80D1920 TAG # 4504

1975 Oshkosh Fire Engine Serial No. 15048 MD#M-1500

1998 Explorer VIN # 1FMUD32X5NUD30178

Dodge D 600 168-1577535

Chevy VIN # 3GCEC30K1SM105282

1987 Ford Astro Van LIC # 713986 VIN #1FMCA1V6HZA09709

1974 Mercury VIN # AL54MT318888

Item No. 39 Discussion and possible action to purchase five (5) Powerconnect 5000 Series Switches 24 Port Gigabit with 10/100/100 capability on all 24 Ports for the Juvenile Justice Alternative Educational Program.
[Account # 149-1301-6020 Educational Supplies]

- Item No. 40 Discussion and possible action to obtain the services of Fleetpride for the removal and replacement of Engine Block, Turbo and Injectors for a 1995 fuel truck (unit # 1070) in the amount of \$7,499.00 for the Road and Bridge Department. [Account # 010-7002-6403 Repairs and Maintenance Vehicles]
- Item No. 41 Discussion and possible action to purchase parts needed for Hydra Jet Machine (Trailer Mounted Sewer Cleaners) from Texas Underground in the amount of \$8,846.50 for the Water Utilities Department. [Account # 645-8001-6022 Professional Services Rio Bravo Sewer Project]
- Item No. 42 Discussion and possible action to award/reject the following bids:
1. Bid No. 2004-34 Uniforms for Sheriffs Department recommendations for uniforms, Sterling's and footwear – primary vendor - Gateway Uniform Service, Inc. and secondary vendor - Sterling's.
 2. Bid No. 2004-37 Audio and video equipment for Commissioners Court
 3. Bid No. 2004-38 Fifty-five computers and thirteen printers
 4. Bid No. 2004-39 IBM parts to upgrade I Series Server
- Item No. 43 Discussion and possible action to award/reject the following proposal No. P-04-02 "Food Commodities"
- Item No. 44 Discussion and possible action to obtain cellular services for the District Clerk, Manuel Gutierrez from U.S. Cellular.

Mr. Eloy Ramirez, Purchasing Agent, stated that Item No. 38 should state "Discussion and possible action to obtain order to dispose of property after no bids were received." He stated that the equipment and vehicles were inoperable and beyond repair. He stated that Pesqueria was willing to send someone to pick up this equipment to see if it could serve any purpose for their office. Mr. Homero Ramirez, County Attorney, advised Court that they can establish a policy as to the specific process for the disposal of County equipment.

Cmr. Cortez motioned to approve Item No. 37, No. 38, No. 39, No. 40, No. 41, No. 42, No. 43 and No. 44 as submitted. Cmr. Gutierrez seconded the motion.

Cmr. Gutierrez requested that Mr. Eloy Ramirez, Purchasing Agent, state his recommendations for Item No. 42. Mr. Ramirez stated that the vendor for Bid 2004-34, Gateway Uniform Service, Inc. was the recommended primary vendor with Sterling's as the secondary vendor. He stated that one bid was received for Bid 2004-37, and both he and MIS recommended that the bid be rejected.

Cmr. Cortez withdrew his motion. Cmr. Gutierrez withdrew her second.

Mr. Eloy Ramirez, Purchasing Agent, stated that for Item No. 43, two bids were received from Performance Food Group and Ben E. Keith Foods. He stated that based on several recommendations, he was recommended Ben E. Keith Foods.

Cmr. Velasquez inquired as to how many minutes were being requested for Item No. 44. Cmr. Vasquez advised Cmr. Velasquez that the court had previously approved allotting 1,500 minutes for all elected officials who received cellular phones. Mr. Jesus Garza, District Clerk Chief Deputy, stated that the phone was mainly for use when at out-of-town conferences to be able to contact office.

Cmr. Velasquez motioned to allot Mr. Gutierrez 300 minutes. Cmr. Gutierrez seconded the motion.

Mr. Eloy Ramirez, Purchasing Agent, advised Court that County is only charged for usage, not minutes allotted.

Cmr. Gutierrez withdrew her second. Cmr. Velasquez withdrew his motion.

Cmr. Vasquez motioned to allot Mr. Gutierrez 1,500 minutes. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Eloy Ramirez, Purchasing Agent, stated that under Item No. 42, the recommended vendor for Bid 2004-38 was Norton Company and for Bid 2004-39, the recommended vendor was Sirius.

Cmr. Gutierrez motioned to accept recommendations by Purchasing Agent. Cmr. Vasquez seconded the motion.

TEN MINUTE BREAK

Court was advised that motions done before break needed to be clarified and no vote was taken for last motion.

Motion carried 4-1 with Cmr. Velasquez voting against Item No. 42. (Motion before break)

Cmr. Gutierrez motioned to approve Item No. 37, No. 38, No. 39, No. 40, No. 41 and accept recommendation for Item No. 43. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Velasquez motioned to bring back Item No. 42. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 42

Discussion and possible action to award/reject the following bids:

1. Bid No. 2004-34 Uniforms for Sheriffs Department recommendations for uniforms, Sterling's and footwear – primary vendor - Gateway Uniform Service, Inc. and secondary vendor - Sterling's.
2. Bid No. 2004-37 Audio and video equipment for Commissioners Court
3. Bid No. 2004-38 Fifty-five computers and thirteen printers
4. Bid No. 2004-39 IBM parts to upgrade I Series Server

Mr. Eloy Ramirez, Purchasing Agent, advised Court that the monies for Bid No. 2004-38 would be coming from Capital Outlay and would total \$76,851.11 with \$80-85,000 budgeted. He stated that for Bid No. 2004-39, two bids were received and though Sirius was not the lowest bidder, he stated that the other company was offering used equipment. He stated that the total cost for the server would be approximately \$25,000. Mr. Carlos Villarreal, Commissioners Court Executive Administrator, stated that he has not reviewed recommendation list for computers as per MIS and cannot say with certainty that those departments requesting computers do need them. Judge Bruni stated that on all future agendas, any items relating to bond monies must include the money spent and the balance on those bond monies. He also stated that if no back-up/communications on an item are submitted, the item will not be placed on the agenda.

Cmr. Gutierrez motioned to defer Item No. 42 until the next meeting. Cmr. Velasquez seconded the motion.

Judge Bruni motioned to approve Item No. 42-1. Cmr. Cortez seconded the motion.

Motion made by Judge Bruni carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to defer Item No. 42-3 and 42-4 and recommend that committee (Mr. Carlos Villarreal, Mr. Raul Casso and Mr. Jorge Flores) do an assessment as to which departments need computers/printers. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 45

Discussion and possible action to approve repairs of the District Attorney's Unit (1999 Volkswagon Jetta) in the amount of \$1,600.60 for damages resulting from a motor vehicle accident which occurred on or about December 16, 2003. [Account # 001-0105-9201 Claims Paid]

Cmr. Velasquez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 46 Discussion and possible action to fill slot # 0677 - Maintenance Aide – at \$8.29 per hour.

Cmr. Cortez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 47 Discussion and possible action to approve Fiscal Year 2003-04 payments to JP Morgan Chase Bank in the amount of \$127,593 for principal (\$35,000), interest (\$86,975) and paying agent fees (\$5,618) for the \$1,530,000 Certificates of Participation, Series 1997 (Court Residential Treatment Center). [Account # 600-9001-9033 Principal, 600-9002-9034 Interest and 600-9002-9064 Paying Agent Fees Debt Service Fund]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion with discussion.

Ms. Delia Perales, County Treasurer, stated that this was the amount needed to be paid out for the fiscal year. She stated that this used to be paid by the state but was picked up by the county this budget year under the debt service fund. Mr. Jorge Flores, County Judge's Chief Financial Officer, stated that there was rhetoric from the Court in July meeting to continue payments but was only approved August 2003 payment. This item would allow for payment for February 2004 and August 2004 payments. Cmr. Cortez stated that this was a commitment made by the State that ended up being picked up by the County. He cautioned the Court that if the state backed off the school commitment, they would be in the same place.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to bring up the Addendum Items. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Addendum
Item No. 1

Discussion and possible action to ratify an interlocal government agreement between the City of Laredo and Webb County for the formation of a mutual aid law enforcement task force by the Webb County Sheriff's Department and the Laredo Police Department, to mutually assist each other in the areas of traffic control, crowd control, and general law enforcement both within and beyond the city limits

during the Crime Stoppers Menudo Bowl scheduled for January 24, 2004 and authorizing the County judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion with discussion.

Cmr. Velasquez stated that he had no problem with item but concerned about approving agreement after the fact. He commended Sheriff's department for job well done.

Motion carried 5-0 by unanimous consent.

Addendum
Item No. 2

Discussion and possible action to enter into an interlocal government agreement between the City of Laredo and Webb County for the formation of a mutual aid law enforcement task force by the Webb County Sheriff's Department and the Laredo Police Department to mutually assist each other in the areas of traffic control, crowd control, and general law enforcement both within and beyond the city limits during the various Washington's Birthday Celebration festivities scheduled for January 31, 2004 through February 28, 2004 and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to return to the regular agenda items. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to discuss Item No. 51 in open session. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 51

Discussion and possible action regarding request of the Quad City Community Action Program to use the Quad City Community Center on January 27, 2004 to host a "Get to Know Your Candidate Night." Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071(Consultation with Attorney).

Mr. Homero Ramirez, County Attorney, advised Court that they could waive the rental fee but that group was prepared to pay rental fee of \$15.00 per hour. He advised Court that they had adopted a policy against politicking on county property with the exception of locations that could be rented out to the public. He recommended that the location be rented as commercial property and the fee not be waived. Cmr. Gutierrez stated that this was in the public's best interest and that the residents of the community needed to be able to have a location to hold a public forum and rental fee should be waived. Ms. Martha Sanchez, Quad City Community Action Program, stated that this was to promote voter registration and voting. She stated that no candidate will be endorsed or promoted.

Cmr. Gutierrez motioned to waive rental fee. Motion died for lack of a second.

Cmr. Velasquez motioned to accept recommendation by counsel and charge rental fee. Judge Bruni seconded the motion.

Motion carried 4-1 with Cmr. Gutierrez voting against.

Cmr. Gutierrez motioned to move into Executive Session. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

EXECUTIVE SESSION (4:24 pm to 5:10 pm)

Judge Bruni reconvened meeting and stated that no action was taken while in Executive Session.

Item No. 48 Discussion and possible action regarding employment grievance of Juanita Puente and regarding Cause No. 2003-CVQ-001964-D2; Juanita Puente vs. Webb County; In the 111th Judicial District Court of Webb County, Texas. Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071(Consultation with Attorney).

Item No. 52 Discussion and possible action regarding employment grievance of Jose Gutierrez. Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071(Consultation with Attorney).

Mr. Homero Ramirez, County Attorney, advised the Court that for both Item No. 48 and No. 52, the Court could designate a county representative, who does not serve on the Court, to be present at the Grievance Hearing or have him present the recordings of the meeting in question as part of the record for the grievance hearing and represent Webb County at the hearing.

Cmr. Gutierrez motioned to have Mr. Homero Ramirez, County Attorney, represent Webb County at the hearing for both Item No. 48 and No. 52. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 49 Discussion and possible action regarding adjustment to pay for part time and/or temporary employees as a result of any clarification to Webb County Personnel Policies Manual concerning holidays, leave time, and other benefits. Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071(Consultation with Attorney).

Item No. 50 Discussion and possible action regarding amendment of Webb County Personnel Policies Manual to clarify issues of benefits, holidays, and other leave periods for various categories of employees as described in § 5.01 of the manual. Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071(Consultation with Attorney).

Mr. Homero Ramirez, County Attorney, requested that both item No. 49 and No. 50 be tabled in order to gather additional information so that the Court can make an informed decision.

Cmr. Velasquez motioned to table Item No. 49 and No. 50. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 53 Adjournment

Addendum
Item No. 3 Adjournment

Cmr. Gutierrez motioned to adjourn meeting. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.